

LABOR COMPLIANCE PROGRAM ANNUAL REPORT

Suggested Format for Awarding Body that enforces its own Labor Compliance Program for some but not all projects

Report for the reporting period: July 1, 2010 to June 30, 2011

1. Name of Labor Compliance Program (LCP) :

Alameda County Public Works Agency (ACPWA) Labor Compliance Program

2. LCP I.D. Number (assigned by DIR):

2003.00354

3. Date of Initial Approval:

November 6, 2003

4. Contact person (include name, title, address, telephone, fax, and e-mail, if available):

Moses de los Reyes – Contract & Labor Compliance Administrator – 951 Turner Court, Hayward, CA 94545

(510) 670-5243 – (510) 670-5269 – mosesd@acpwa.org

5. Did LCP perform any LC § 1771.5 enforcement activities during the 12 months in the reporting period?

Please check one: ☒ If Yes, proceed to item 6 on the next page

☐ No

If No, complete the information below, sign the form and submit to DIR, Office of the Director, Attn: LCP Special Assistant,

455 Golden Gate Avenue, 10th Floor, San Francisco CA 94102

What suggestions do you have for the Department of Industrial Relations to better assist you with your program in the coming year? (attach additional sheets if necessary)

Continue conducting free seminars on the latest updates on DIR rules and regulations. Alameda County Public Works Agency has been sponsoring free seminars in partnership with the Foundation for Fair Contracting for many years. The most recent seminar was on 6/16/11. Guest presenters from the DIR are excellent resource speakers.

SUBMITTED BY:

Moses de los Reyes

Signature

Moses de los Reyes – Contract & Labor Compliance Administrator

Name and Title

August 10, 2011

Date

6. LC § 1771.5 enforcement activities (provide all information requested, attaching as many sheets as necessary).

A. List projects handled by LCP within the past 12 months.

Project Name	Bid Advertisement Date	Prime Contractor	Contract Amount
1926 – The Improvement of Lewelling Boulevard and East Lewelling Boulevard Phase I	8/7/2009	Gallagher & Burk, Inc.	\$10,219,893
2063 – Hampton Road Improvement between Meekland and Mission Boulevard	8/12/2009	Bay Cities Paving & Grading, Inc.	\$2,511,398
2104 – Sidewalk Improvements on San Miguel Avenue	5/1/2010	Redgwick Construction	\$1,137,976
2122 - Fruitvale Avenue Bridge Dolphin Files	5/5/2009	Power Engineering Contractors	\$1,699,969
2125 – Stanley Boulevard Safety & Streetscape Improvement	5/14/2010	DeSilva Gates Construction	\$14,532,703
2153 – Resurfacing of Various Roadways in Alameda County	12/8/2010	Gallagher & Burk, Inc.	\$1,430,450
FC 12-190 – Emeryville 64 th Street Bypass Storm Drain Improvement	4/20/2010	Mountain Cascade, Inc.	\$7,659,083
TOTAL			\$39,191,472

B. Summary of all wages and penalties assessed and/or recovered. (Majority of contractors comply with legal and contractual requirements.)

Project Name	Affected Contractor (who directly employed the worker)	Amount Assessed	Amount Recovered	Approval of Forfeiture Requested from Labor Commissioner?	Description of Violation
2122 - Fruitvale Avenue Bridge Dolphin Files	Empire Engineering, Inc.	\$200.00	\$200.00	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Failure to pay proper prevailing wage rates for 2 days to 2 employees
				<input type="checkbox"/> Yes <input type="checkbox"/> No	
				<input type="checkbox"/> Yes <input type="checkbox"/> No	
				<input type="checkbox"/> Yes <input type="checkbox"/> No	
				<input type="checkbox"/> Yes <input type="checkbox"/> No	

				<input type="checkbox"/> Yes <input type="checkbox"/> No	
Total					

2. For any amount identified in item B for which approval of forfeiture not requested from the Labor Commissioner, please explain below.

Project Name	Amount Assessed	Amount Recovered	Explanation
2122 - Fruitvale Avenue Bridge Dolphin Files	\$200.00	\$200.00	Penalty amount was very minimal. Verbal discussion was done with DLSE staff.
Total			

3. For any amount identified in item B for which approval of forfeiture was requested from the Labor Commissioner, please provide the following:

Project Name	Amount Assessed					Amount Recovered				
	LC § 1776(g)	LC § 1775	LC § 1813	Wages	Total	LC § 1776(g)	LC § 1775	LC § 1813	Wages	Total
2122 - Fruitvale Avenue Bridge Dolphin Files		\$200.00					\$200.00			
Total		\$200.00					\$200.00		0	0

4. Identify cases that are or were the subject of LC § 1742 proceedings. None

Project Name	Contractor	Nature of Violation	ODL Case #	Current Status

5. Did you refer any contractor to the Labor Commissioner for debarment per LC § 1777.1? No

Please check one: ☐ Yes ☐ No

If yes, identify affected contractor(s) or subcontractor(s) and date(s) of referral: _____

6. Did you refer any apprenticeship violation to the Division of Apprenticeship Standards (DAS)? No

Please check one:

Yes

No

If yes, identify affected contractor(s) or subcontractor(s) and date(s) of referral: